



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON, D.C. 20370-5100

TRG  
Docket No: 2846-00  
19 October 2000

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 17 October 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Navy on 20 September 1977 at age 18. The record shows that during the period from 19 June 1979 to 7 August 1980 you received nonjudicial punishment on six occasions. Your offenses included an unauthorized absence of about four days, several absences from your appointed place of duty, disobedience, dereliction of duty and the theft of a magazine from the mail.

A special court-martial convened on 25 June 1982 and convicted you of an unauthorized absence of about 481 days. The court sentenced you to reduction to pay grade E-1, forfeiture of \$175 pay per month for three months, confinement at hard labor for three months and a bad conduct discharge. The bad conduct discharge was issued on 11 April 1983.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your youth and desire for a better discharge. The Board found that these factors were not sufficient to warrant recharacterization of your discharge given your extensive disciplinary record and especially your conviction by court-martial of an unauthorized absence of about 481 days.

The Board concluded that the discharge was proper as issued and no change is warranted.

Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director